

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Bernard F. Murphy**  
**Jodi M. Murphy**  
**fka Jodi M. Toy**  
Debtor(s)

Bankruptcy Case No.: 17-23771-JAD  
Issued Per Oct. 23, 2017 Proceeding  
Chapter: 13  
Docket No.: 19 - 2  
Concil. Conf.: March 29, 2018 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 9, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 29, 2018 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 31, 2017

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Bernard F. Murphy  
 Jodi M. Murphy  
 Debtors

Case No. 17-23771-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 45

Date Rcvd: Oct 31, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 02, 2017.

db/jdb  
 cr +Bernard F. Murphy, Jodi M. Murphy, 123 Burton Drive, Kittanning, PA 16201-3601  
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
 Pittsburgh, PA 15233-1828  
 14696072 +AES/PNC Bank, P.O. Box 61047, Harrisburg, PA 17106-1047  
 14696074 +Barclays Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803  
 14696075 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One Bank, P.O. Box 5155, Norcross, GA 30091)  
 14696076 Chase, P.O. Box 15298, Wilmington, DE 19850-5298  
 14696077 +Citicards/Citibank, P.O. Box 6241, Sioux Falls, SD 57117-6241  
 14698598 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3019  
 14696079 +Client Services, Inc., 3451 Harry S. Truman Blvd., Saint Charles, MO 63301-9816  
 14696080 +Comenity Bank/Victoria Secret, P.O. Box 182789, Columbus, OH 43218-2789  
 14696081 +Comenity Capital/Petland, P.O. Box 182120, Columbus, OH 43218-2120  
 14696082 +Comenity/Trwrds, P.O. Box 182789, Columbus, OH 43218-2789  
 14696084 +GC Services LP, P.O. Box 1389, Copperas Cove, TX 76522-5389  
 14696091 +Loan Depot, 26642 Towne Centre Drive, Foothill Ranch, CA 92610-2808  
 14696092 +Lumber Liquidators/Synch Bank, P.O. Box 960061, Orlando, FL 32896-0061  
 14696093 +Macy's, P.O. Box 8218, Mason, OH 45040-8218  
 14696094 Macy's Visa, P.O. Box 8218, Mason, OH 45040-8218  
 14696095 +Mohela/Dept. of Ed., 633 Spirit Drive, Chesterfield, MO 63005-1243  
 14696096 +Nancy Murphy, 10814 S. Maplewood, Chicago, IL 60655-1213  
 14713211 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147  
 14696098 Paypal Credit, P.O. Box 105658, Atlanta, GA 30348-5658  
 14719573 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,  
 Pittsburgh, PA 15233-1828  
 14696099 +Sears/CBNA, P.O. Box 6283, Sioux Falls, SD 57117-6283  
 14696107 +Toyota Financial Services, 1111 W. 22nd St., Ste. 420, Oak Brook, IL 60523-1959  
 14698173 +U S Dept of Education/MOHELA, 633 Spirit Drive, Chesterfield, Mo 63005-1243  
 14696109 +US Bank/Great Lakes Higher Education, P.O. Box 7860, Madison, WI 53707-7860  
 14696108 +United Collection Bureau Inc., 5620 Southwyck Blvd., Ste 206, Toledo, OH 43614-1501

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14707102 E-mail/Text: ally@ebn.phinsolutions.com Nov 01 2017 01:21:59 Ally Bank, PO Box 130424,  
 Roseville MN 55113-0004  
 14707074 E-mail/Text: ally@ebn.phinsolutions.com Nov 01 2017 01:21:59 Ally Financial,  
 PO Box 130424, Roseville MN 55113-0004  
 14696073 +E-mail/Text: ally@ebn.phinsolutions.com Nov 01 2017 01:21:59 Ally Financial,  
 P.O. Box 380901, Minneapolis, MN 55438-0901  
 14696083 +E-mail/Text: egssupportservices@egscorp.com Nov 01 2017 10:24:37 EGS Financial Care, Inc.,  
 4740 Baxter Road, Virginia Beach, VA 23462-4484  
 14696085 E-mail/Text: cio.bncmail@irs.gov Nov 01 2017 01:22:06 Internal Revenue Service,  
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346  
 14696088 E-mail/Text: bnckohlsnotices@becket-lee.com Nov 01 2017 01:22:04 Kohls Capone,  
 P.O. Box 3115, Milwaukee, WI 53201-3115  
 14696089 +E-mail/Text: bk@lendingclub.com Nov 01 2017 01:22:35 Lending Club, 71 Stevenson Street,  
 Suite 300, San Francisco, CA 94105-2985  
 14696097 +E-mail/PDF: pa\_dc\_claims@navient.com Nov 01 2017 01:23:31 Navient, P.O. Box 9500,  
 Wilkes Barre, PA 18773-9500  
 14714978 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 01 2017 01:23:43  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14697105 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 01 2017 01:23:43  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14696101 E-mail/PDF: gecsed@recoverycorp.com Nov 01 2017 01:16:38 SYNCRB/American Eagle,  
 P.O. Box 965005, Orlando, FL 32896-5005  
 14696100 E-mail/PDF: clerical@simmassociates.com Nov 01 2017 01:17:07 Simm Associates Inc.,  
 P.O. Box 7526, Newark, DE 19714-7526  
 14696102 E-mail/PDF: gecsed@recoverycorp.com Nov 01 2017 01:16:39 Synchrony Bank/Amazon,  
 Attn: Bankruptcy Dept., P.O. Box 965015, Orlando, FL 32896-5015  
 14696103 +E-mail/PDF: gecsed@recoverycorp.com Nov 01 2017 01:16:38 Synchrony Bank/American Eagle,  
 P.O. Box 965005, Orlando, FL 32896-5005  
 14696104 E-mail/PDF: gecsed@recoverycorp.com Nov 01 2017 01:16:52 Synchrony Bank/JC Penney,  
 P.O. Box 965007, Orlando, FL 32896-5007  
 14696105 E-mail/PDF: gecsed@recoverycorp.com Nov 01 2017 01:16:52 Synchrony Bank/Sams Club,  
 P.O. Box 960013, Orlando, FL 32896-0013  
 14696106 E-mail/PDF: gecsed@recoverycorp.com Nov 01 2017 01:17:06 Synchrony Bank/Walmart,  
 P.O. Box 965024, Orlando, FL 32896-5024  
 14696078 E-mail/Text: creditreconciliation@peoples.com Nov 01 2017 01:22:23 Citizens Bank,  
 1000 Lafayette Gill, Bridgeport, CT 06604

TOTAL: 18

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 45

Date Rcvd: Oct 31, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr LoanDepot.com, LLC  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
14696087\* +Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Ave,  
Pittsburgh, PA 15222-4107  
14696086\* +Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Avenue,  
Pittsburgh, PA 15222-4107  
14696090\* +Lending Club Corp., 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985  
14716013\* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067  
(address filed with court: Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541)  
TOTALS: 1, \* 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 02, 2017

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 31, 2017 at the address(es) listed below:

Dai Rosenblum on behalf of Joint Debtor Jodi M. Murphy dunmyrem@zoominternet.net,  
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp8618@gmail.com  
Dai Rosenblum on behalf of Debtor Bernard F. Murphy dunmyrem@zoominternet.net,  
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp8618@gmail.com  
James Warmbrodt on behalf of Creditor LoanDepot.com, LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 6